REMARKS

Claims 28-31, 35, 63, 64, 70 and 77 are pending. This includes independent claim 28. Claim 77 is new and supported throughout the specification and examples.

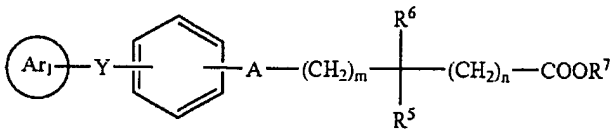
The Abstract was objected to for exceeding 150 words, it has accordingly been amended to further prosecution.

Claims 28-31, 35, 63, 64 and 70 were rejected under 35 U.S.C. 112, second paragraph, as indefinite for failing to particularly point out and distinctly claim the subject matter which Applicant regards as the invention for failing to provide specific derivatizations as well as for using the limitation "and their pharmaceutical acceptable compositions." Although Applicant disagrees with these determinations, in the interest of furthering prosecution, the claims have been amended where appropriate to remove reference to derivatizations and the use of the limitation "and their pharmaceutically acceptable compositions." Accordingly, the rejections are now moot and the claims should be allowed.

Claims 63-64 and 70 were rejected pursuant to 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement by using the term "solvate." The claims have been amended where appropriate to remove reference to this term. Accordingly, the rejection should be withdrawn and the claims allowed.

Claim 28 was rejected under 35 U.S.C. 102(e) as anticipated by Fujimoto et al., U.S. Patent No. 7,202,364 ("Fujimoto '364"). However, claim 28 as currently amended is not anticipated by Fujimoto '364. Thus, the rejection should be withdrawn and the claim allowed.

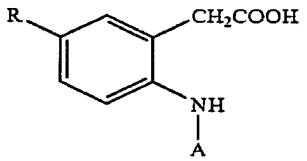
Claim 28 claims a compound with the general structure:



(I)

Claim 28 as currently amended claims, *inter alia*, that m independently represents an integer from 1 to 6. Accordingly, there is from one to six methyl groups disposed between the ring and the carbon atom bonded to R^5 and R^6.

Fujimoto '364 discloses the following structure at Col. 48:



Compound	R	A	m.p., MS
(b)	Cl	6-Cl-5-indanyl	132–134° C.
(c)	Cl	3-quinolinyl	193–195° C.
(d)	H	1-Cl-2-naphthyl	156–158° C.
(e)	CH_3	1-Cl-2-naphthyl	141–143° C.
(f)	Cl	2-naphthyl	128–130° C.
(g)	Cl	1-Cl-2-naphthyl	156–158° C.
(h)	H	2-F-4-cyclopropylphenyl	104–105° C.
(i)	CH_3	2-methyl-6-quinolinyl	172–175° C.
(j)	H	4-(4-F-phenyl)-2-F-phenyl	M − 1 = 338, M + 1 = 340
(k)	H	6-Cl-5-indanyl	133–134° C.
(l)	H	4-phenyl-2-F-phenyl	M − 1 = 320, M + 1 = 322
(m)	H	3-quinolinyl	182–184° C.
(n)	H	2-naphthyl	131–133° C.
(o)	CH_3	2-naphthyl	130–132° C.
(p)	Cl	2-Cl-4-cyclopropylphenyl	128–129° C.
(q)	CH_3	2-Cl-4-cyclopropylphenyl	114–116° C.
(r)	Cl	4-phenyl-2,3,5,6-tetra-F-phenyl	181–182° C.
(s)	CH_3	4-phenyl-2,3,5,6-tetra-F-phenyl	156–157° C.
(t)	CH_3	2-Cl-4-cyclopropyl-6-F-phenyl	M − 1 = 332, M + 1 = 334
(u)	Cl	4-(4-F-phenyl)-2-F-phenyl	M − 1 = 372, M + 1 = 374
(v)	H	4-(4-OCH_3-phenyl)-2-Cl-phenyl	150–151° C.
(w)	Cl	4-(4-OCH_3-phenyl)-2-F-phenyl	100–102° C.
(x)	H	4-phenyl-2,6-di-Cl-phenyl	191–192° C.
(y)	H	4-phenyl-2-Cl,6-F-phenyl	162–163° C.
(z)	CH_3	4-phenyl-2-Cl,6-F-phenyl	176–177° C.
(aa)	CH_3	4-phenyl-2,6-di-Cl-phenyl	177–178° C.
(ab)	CH_3	4-(3-CH_3O-phenyl)-2,3,5,6-tetra-F-phenyl	164–166° C.
(ac)	Cl	4-(3-CH_3O-phenyl)-2,3,5,6-tetra-F-phenyl	171–173° C.
(ad)	CH_3	4-(4-F-phenyl)-2,3,5,6-tetra-F-phenyl	155–158° C.
(ae)	Cl	4-(3,4-methylenedioxyphenyl)-2-3,5,6-tetra-F-phenyl	M − 1 = 452
(af)	CH_3	4-cyclohexyl-2-Cl-phenyl	133–135° C.

The Office Action cites compounds (d) and (n) wherein Ar_1 is 1-Cl-2-naphthyl or 2-naphthyl, p and m = 0, and R^{5-7} = H as anticipating claim 28.

However, as explained above with respect to claim 28 as currently amended, m is an integer from one to six. Thus, **there is from one to six methyl groups disposed between the ring and the carbon atom bonded to R^5 and R^6**. Conversely, Fujimoto '364 discloses ethanoic acid bonded directly to the ring. The carbon atom that represents the atom bonded to R^5 and R^6, with R^5 and R^6 being hydrogen, is bonded directly to the ring and a carboxyl group. Thus, there are no methyl groups disposed between the carbon atom and the ring. Accordingly, Fujimoto '364 does not anticipate claim 28. Thus, the rejection should be withdrawn and the claim allowed.

Applicant respectfully submits that all pending claims are patentable and requests examination of the present Application and the timely allowance of the pending claims. The Examiner is encouraged to telephone the undersigned at her convenience should she have any questions regarding this matter or to resolve any remaining issues.

Please charge any additional fees required by this Amendment to Deposit Account No. 04-1403.

Respectfully requested,

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